



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

P.O. BOX 25201, RALEIGH, NC 27611-5201

CERTIFICATION OF RULEMAKING

Certifying Agency: Department of Transportation				
Action:	<input checked="checked" type="checkbox"/>	Adoption	<input type="checkbox"/>	<input type="checkbox"/>
Statutory Authority: 20-141 (j2), 20-141.				
Public Hearing Not Required For This Action Under: GS 150A-1, 20-1.				
Rule Summary: Work Zone Speed Limits, Work Zone Speed Penalty.				
Circumstances Requiring Rule Adoption, Repeal: Necessary for public safety and welfare.				
Effective Date: September 25, 2007				

September 25, 2007

DATE


OFFICER SIGNATURE

James. K. Lacy, P.E.

TYPED NAME

State Traffic Engineer

TITLE

Work Zone Speed Limits

The Board of Transportation has delegated to the Secretary of Transportation the authority to adopt and promulgate all rules and regulations and ordinances regulating traffic on the highways pursuant to authority of N.C.G.S 143B-350 (g) (see 19ANCAC 4A.0004).

The State Traffic Engineer is subdelegated the authority by the Secretary of Transportation to adopt and promulgate all necessary rules, regulations and ordinances for the use of and to police traffic on state highways, and to set, change, or extend route numbers on the Primary Highway System of North Carolina pursuant to authority of N.C.G.S 143B-350(g) (see 19ANCAC 4A.0004).

Pursuant to that delegation, the State Traffic Engineer hereby adopts and promulgates the following ordinances based on traffic and engineering studies performed by the Traffic Engineering Branch, Department of Transportation, and in accordance with General Statute 20-141.

COUNTY BUNCOMBE DIVISION 13

DECLARE THE FOLLOWING

County / Municipality	Ordinance Number	Route	Car Spd Lmt	Trk Spd Lmt	Description
BUNCOMBE	1057038	I 40 EB COUPLET	55	55	I-40 EB from a point 1.52 miles (8000 ft) west of the McDowell County line, eastward to a point 0.34 mile west of the McDowell County Line. (To be in effect only when workers are present and/or lane closures are implemented and signs are posted in conjunction with TIP Project I-4908A) .
BUNCOMBE	1057054	I 40 EB COUPLET	45	45	*45 MPH to 55 MPH* in an increment of 10 MPH, based on conditions in the field, on I-40 EB from a point 0.34 mile west of the McDowell County Line eastward to the McDowell County Line (To be in effect only when workers are present and/or lane closures are implemented and signs are posted in conjunction with TIP project I-4908A) .
BUNCOMBE	1057060	I 40 WB COUPLET	45	45	I-40 WB from a point 350 feet west of the McDowell County Line, eastward to the McDowell County Line (To be in effect only when workers are present and/or lanes closures are implemented and signs are posted in conjunction with TIP project I-4908 A) .

County / Municipality	Ordinance Number	Route	Car Spd Lmt	Trk Spd Lmt	Description
-----------------------	------------------	-------	-------------	-------------	-------------

COUNTY MCDOWELL

DIVISION 13

DECLARE THE FOLLOWING

County / Municipality	Ordinance Number	Route	Car Spd Lmt	Trk Spd Lmt	Description
-----------------------	------------------	-------	-------------	-------------	-------------

MCDOWELL	1057055	I 40 EB COUPLET	45	35	I-40 EB from the Buncombe County Line, eastward to a point 350 feet east of SR 1103 (Exit 73) (To be in effect only when workers are present and/or lane closures are implemented and signs are posted in conjunction with TIP project I-4908A).
MCDOWELL	1057056	I 40 WB COUPLET	55	55	I-40 WB from a point 0.34 mile east SR 1103 (Exit 73), eastward to a point 1.52 miles east of SR 1103 (To be in effect only when workers are present and/or lane closures are implemented and signs are posted in conjunction with TIP project I-4908A).
MCDOWELL	1057058	I 40 WB COUPLET	45	45	I-40 WB from the Buncombe County Line, eastward to SR 1103 (Exit 73) (To be in effect only when workers are present and/or lane closures are implemented and signs are posted in conjunction with TIP project I-4908A).
MCDOWELL	1057154	I 40 WB COUPLET	45	45	*45 MPH or 55 MPH* in an increment of 10 MPH, based on conditions in the field, on I-40 WB from SR 1103 to a point 0.34 mile east of SR 1103 (To be in effect only when workers are present and/or lanes closures are implemented and signs are posted in conjunction with project I-4908A).

Work Zone Speed Penalty

The Board of Transportation has delegated to the Secretary of Transportation the authority to adopt and promulgate all rules and regulations and ordinances regulating traffic on the highways pursuant to authority of N.C.G.S 143B-350 (g) (see 19ANCAC 4A.0004).

The State Traffic Engineer is subdelegated the authority by the Secretary of Transportation to adopt and promulgate all necessary rules, regulations and ordinances for the use of and to police traffic on state highways, and to set, change, or extend route numbers on the Primary Highway System of North Carolina pursuant to authority of N.C.G.S 143B-350(g) (see 19ANCAC 4A.0004).

Pursuant to that delegation, the State Traffic Engineer hereby adopts and promulgates the following ordinances based on traffic and engineering studies performed by the Traffic Engineering Branch, Department of Transportation, and in accordance with General Statute 20-141 (j2).

COUNTY MCDOWELL

DIVISION 13

DECLARE THE FOLLOWING

County / Municipality	Ordinance Number	Route	Car Spd Lmt	Trk Spd Lmt	Description
MCDOWELL	1057061	I 40	45	45	Declare a \$250 speeding penalty between the first sign that informs motorists of a work zone and the last sign that informs motorists of the end of the work zone (changeable message signs, portable signs and/or stationary signs will be used to inform motorists of the work zone limits).

The foregoing Highway Traffic Ordinances are hereby adopted in accordance with the General Statutes of North Carolina (20-141 (j2), 20-141).

All the actions to the Highway Traffic Ordinances herein adopted are effective September 25, 2007 and are identified as follows:

ORDINANCE TYPE	ADOPT	REPEAL
Work Zone Speed Limits	7	0
Work Zone Speed Penalty	1	0
Total	8	0

The Division Engineer for each affected Division shall cause to be erected appropriate signs indicating the action of the State Traffic Engineer and these ordinances shall be in full force and effect from and after the erection of such signs.

September 25, 2007

DATE



OFFICER SIGNATURE

James. K. Lacy, P.E.

TYPED NAME

State Traffic Engineer

TITLE